

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**NOVO NORDISK A/S,**

**Plaintiff,**

**V.**

**SANOFI-AVENTIS, AVENTIS  
PHARMACEUTICALS INC., AVENTIS  
PHARMA DEUTSCHLAND GMBH, and  
AVENTIS PHARMA AG**

## Defendants.

**C.A. No. 05-645-SLR**

## **WAIVER AND ACKNOWLEDGMENT OF SERVICE**

**WHEREAS**, Novo Nordisk A/S (“Plaintiff”) filed its Complaint on September 2, 2005;

**WHEREAS**, Plaintiff filed its First Amended Complaint on September 26, 2005;

**WHEREAS**, Defendant Aventis Pharmaceuticals Inc. filed its Answer and Counterclaim on October 11, 2005; and

**WHEREAS**, Defendants Sanofi-Aventis and Aventis Pharma Deutschland GMBH (both of which are foreign companies) have authorized their attorneys, Ashby & Geddes, to waive formal service of Plaintiff's Complaint and First Amended Complaint and accept service on their behalf;

**NOW, THEREFORE,** in accordance with Defendants Sanofi-Aventis' and Aventis Pharma Deutschland GMBH's authorization, the undersigned attorney acknowledges that service of Plaintiff's Complaint and First Amended Complaint is hereby accepted on behalf of Defendants Sanofi-Aventis and Aventis Pharma Deutschland GMBH as of November 10, 2005, and hereby agrees that Defendants Sanofi-Aventis and Aventis Pharma Deutschland GMBH

shall move, answer or otherwise respond to the First Amended Complaint on or before December 12, 2005.

ASHBY & GEDDES

*/s/ Steven J. Balick*

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*Attorneys for Defendants*

164239.1

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of December, 2005, the attached **WAIVER AND ACKNOWLEDGMENT OF SERVICE** was served upon the below-named defendants at the address and in the manner indicated:

Frederick L. Cottrell III, Esquire  
Richards Layton & Finger, P.A.  
One Rodney Square  
Wilmington, DE 19801

HAND DELIVERY

Jeffrey J. Oelke, Esquire  
White & Case LLP  
1155 Avenue of the Americas  
New York, NY 10036-2787

VIA FEDERAL EXPRESS

*/s/ Steven J. Balick*

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Steven J. Balick